

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAFAEL A. HERNANDEZ,

Plaintiff,

-against-

DUTCHESS COUNTY, et al.,

Defendants.

24-CV-4500 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated September 10, 2024, the Court directed Plaintiff to show cause, within 30 days, why this action should not be dismissed without prejudice for his failure to provide a current address to the court. The court's March 18, 2024 Standing Order requires all self-represented litigants to inform the court of any change of address of record. *See In Re: Cases Filed By Pro Se Plaintiffs, This Matter Relates To: Duty of Self-Represented Parties to Keep Address Information Current*, No. 24-MC-127 (LTS) (S.D.N.Y. Mar. 18, 2024) ("Standing Order").

Plaintiff was incarcerated when he filed this action, but according to records of the New York State Department of Corrections and Community Supervision, on September 5, 2024, he was released to parole supervision. He has not communicated with the Court about this case since July 2024, and the Court does not have any current mailing address for him. Accordingly, the Court dismisses this action without prejudice, under Rule 41(b) of the Federal Rules of Civil Procedure, for Plaintiff's failure to comply with the March 18, 2024 Standing Order. This dismissal is without prejudice to Plaintiff's filing a new civil action.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment in this action.

SO ORDERED.

Dated: October 11, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge